

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Public Reprimand)
)
of the Educator Certificate of)
)
Mitchell J. McDaniel)
)
Certificate 172422)

**CONSENT ORDER OF
PUBLIC REPRIMAND**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 13, 2005. On January 26, 2005, the State Department of Education (Department) sent a notice of hearing regarding the possible suspension or revocation of South Carolina educator certificate 172422 to Mr. Mitchell J. McDaniel, by certified mail, return receipt requested, delivery restricted to addressee. Mr. McDaniel received the notice as evidenced by a signed postal receipt bearing his signature. Mr. McDaniel has now agreed to waive his right to a hearing and to accept a public reprimand, issued by the State Board. After considering the information presented by the Department, the State Board voted to issue a public reprimand to Mr. McDaniel.

Mitchell
McDaniel
172422

Initial Here

Date

FINDINGS OF FACT

Mr. McDaniel holds a valid South Carolina certificate and has over nine years of teaching experience. He was under contract as a teacher/coach at Fennell Elementary School with Hampton County School District (District) for the 2004-2005 school year. Mr. McDaniel resigned from the District on December 10, 2005, following the District's initiation of an investigation into Mr. McDaniel's relationship with a female student. Mr. McDaniel admitted that he allowed an unlicensed female student to use his vehicle and allowed her to use and keep his cell phone.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. §59-25-150 (2004), S.C. Code Ann. §59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58. Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the information presented establishes just cause to issue a public reprimand to Mr. McDaniel. Notice of the public reprimand is to be sent to all school districts in South Carolina.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester

Chair

Columbia, South Carolina

September 13, 2005

I, Mitchell J. McDaniel, SC Educator Certificate 172422, do hereby agree to this Order of Public Reprimand, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, September 13, 2005.

9/6/05
Date

/S/ Mitchell J. McDaniel
Mitchell J. McDaniel